

REMARKS

The present amendment is submitted in response to the Office Action dated December 3, 2009, which set a three-month period for response. Filed herewith is a Request for a Two-month Extension of Time, making this amendment due by May 3, 2010.

Claims 1-14 are pending in this application.

In the Office Action, claim 1 was rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,029,104 to Kim. An election/restriction requirement was applied to claims 3 and 5, on grounds that the subject matter of these claims comprises different species, specifically, Species I of claim 3, which requires a data transmitter provided with absolute location data, and Species II of claim 4, in which a data transmitter is provided with relative location data.

The Applicants note with appreciation the indicated allowance of claims 2-14.

In the present amendment, the specification was amended to add standard sectional headings and to delete references to the claims.

Regarding the election requirement, the Applicants hereby elect the species defined in claim 5. Claim 3 has been canceled.

Because claim 5 also was indicated as allowable, claim 1 has been amended to include the features of claim 5, which was canceled. The remaining dependent claims were amended where necessary to change claim dependencies in light of canceled claims 3 and 5.

Because amended claim 1 now includes features of allowable claim 5, claim 1, as well as its dependent claims 2, 4, and 6-14, are all allowable over the cited patent to Kim.

The application in its amended state is believed to be in condition for allowance. Action to this end is courteously solicited. However, should the Examiner have any further comments or suggestions, the undersigned would very much welcome a telephone call in order to discuss appropriate claim language that will place the application into condition for allowance.

Respectfully submitted,
/Michael J. Striker/

Michael J. Striker
Attorney for Applicant(s)
Reg. No. 27233
103 East Neck Road
Huntington, New York 11743
631-549-4700